REMARKS

Entry of the foregoing, reexamination and further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested.

The specification as well as claims 1, 5, 7 and 9 have been amended to correct a typographical error in Formula (I) which arose during the translation of International Application No. PCT/FR00/02120, which was in French, into the English language. Support for this correction to Formula (I) can be found in the above-mentioned International Application, the content of which was incorporated by reference in the present application. *See* Utility Patent Application Transmittal Letter at 2 (amending first page of the specification).

Turning now to the Official Communication, Applicants hereby elect, with traverse, to prosecute the invention of Group IV, claims 9-11, drawn to a method for treating and/or preventing disease and/or condition associated with the excessive release of glutamate comprising administering a beta-naphthoquinone derivative.

The lack of unity determination is traversed on the grounds that there would be no serious burden on the Patent Office or the Examiner to examine the claims of Groups I, II, III, and IV in the same application as the search directed to one of the above-mentioned groups would almost necessarily include a search directed to the subject matter of the claims of the other groups.

Additionally, Applicants hereby elect the species identified in the Official Communication as A1, directed to the derivative represented by Formula (I). All of the currently pending claims are readable upon this elected species.

In the event that there are any questions relating to this Amendment and Reply to Restriction Requirement or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of the application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 18, 2003

By: _____
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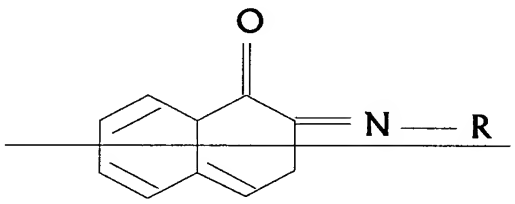
Attachment to Amendment and Reply to Restriction Requirement dated June 18, 2003

Marked-Up Copy of Specification

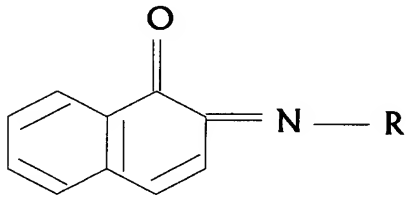
Paragraph beginning at Page 5, line 9 and ending at Page 6, line 9

--The invention is therefore first directed to a novel use of beta-naphthoquinone derivatives for making drugs with an inhibitory effect on the extracellular glutamate release, wherein said derivatives are selected among the group consisting of:

(i) compounds having the formula (I):



(I)



(I)

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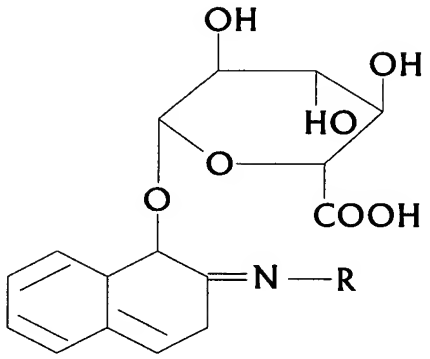
wherein R represents -NH-CO-NH_2, -NH-CO-CH_3, or -OH group,

(ii) glucuronide derivatives thereof having the formula (II):



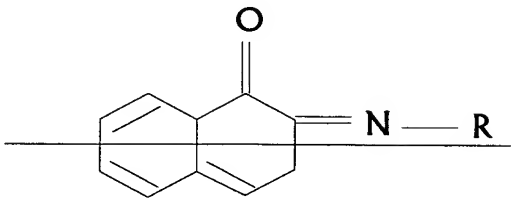
(II

(iii) addition salts thereof.

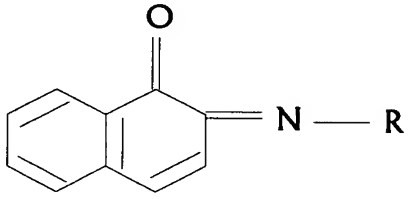
Paragraph beginning at Page 7, line 28 and ending on Page 8, line 24

Thus the present invention further relates to a method for treating and/or preventing glutamate-evoked cytotoxicity in a patient in need thereof comprising administering to said patient a composition containing a therapeutically effective amount of at least one beta-naphthoquinone derivative and a pharmaceutically acceptable carrier, wherein said derivative is selected among the group consisting of:

(i) compounds having the formula (I):



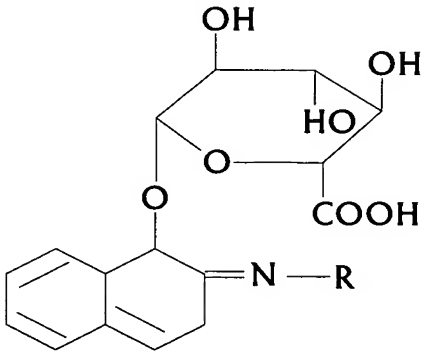
(I)



(I)

wherein R represents -NH-CO-NH_2, -NH-CO-CH_3, or -OH group, and

(ii) glucuronide derivatives thereof having the formula (II):



(II

wherein R is as above indicated, and

(iii) addition salts thereof.